

REMARKS

The foregoing amendments and these remarks are responsive to the final Office Action dated September 25, 2003. At the time of the Office Action, Claims 1-10 and 19-27 were pending in this application. This amendment is timely filed within the three month shortened statutory period for response.

In the Office Action, claims 1-6, 9, 10 and 19-21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,497,190 to Lewit as evidenced by U.S. Patent No. 5,622,660 to Uemura et al. The rejections are set out in more detail below.

I. Allowable Subject Matter

Applicant notes with appreciation that claims 22-27 were indicated to be allowable. Further, the Examiner has indicated that claim 7 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim.

II. Correction of Certain Informalities Pursuant to 35 U.S.C. § 112

Claims 9, 10, 19, and 25-27 have been amended to correct minor informalities noted by applicant in those claims.

III. Overview of the Invention

Amended claim 1 recites a composite part having an integrated flow channel. The composite part is formed generally of an elongated foam core. One or more fabric layers are secured along at least one elongated side thereof. In this way, an elongated channel is defined between the elongated side of the foam core and the fabric layer. The flow channel media has substantially less resistance to a flow of resin as compared to the fabric layer so that resin introduced within the elongated channel under pressure will substantially flow through the flow channel media along the elongated side. In order to produce such a significant flow along the elongated side, it is necessary for the flow channel media to present substantially less resistance to a flow of resin as compared to the fabric layer. This feature distinguishes the invention recited in claim 1 from the prior art cited by the Examiner.

IV. Rejections under 35 U.S.C. §102(e)

Turning now to the rejections on art, claims 1-6, 9, 10 and 19-21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,664,518 to Lewit et al. ("Lewit") as evidenced by U.S. Patent No. 5,622,660 to Uemura et al (Uemura). A rejection under 35 U.S.C. § 102 is appropriate only if the cited reference teaches every aspect of the claimed invention either explicitly or impliedly. See MPEP 706.02, "Distinction Between 35 U.S.C. 102 and 103." The Examiner has acknowledged that Lewit does not specifically disclose that the non-woven fabric layer 7 disposed in the elongated channel has less resistance to a flow of resin as compared to the outer woven fabric layer 6." However, it is important to note that Lewit does not even suggest or imply that it would be desirable for the non-woven fabric layer 7 disclosed therein to provide substantially less resistance to a flow of resin as compared to the fabric layer. In fact, if Lewit implies anything, it is that the non-woven fabric layer would substantially limit the flow of resin.

For example, Lewit explains that the foam core 18 preferably fills interstices 11 of the non-woven fabric layer 14 without penetrating into reinforcing fabric layer 13. This implies that the non-woven fabric has a relatively high resistance to flowing materials – just the opposite of what is called for in claim 1. Accordingly, Lewit does not explicitly or impliedly disclose the invention recited in Applicant's claim 1 and is therefore not a proper reference under 35 U.S.C. § 102.

Further, Lewit discloses that "non-woven fabrics" as that term is used therein refers to a continuous thermoplastic fiber, needle punched together to yield a felt-like fabric. Col. 4, lines 1-10. In this regard, it is well known that felt-like fabrics are ones in which the fibers are matted or compressed together. Alternatively, Lewit explains that non-woven fabric can be composed of polyester staple mat, glass fiber mat, or other organic an inorganic mats and fabrics. From the foregoing, it is apparent that the non-woven fabric is one that is comprised of matted or compressed fibers that are densely packed. Those skilled in the art will appreciate that fibers which are matted, compressed or densely packed will tend to impede a flow of resin. This is precisely the

opposite of what is desired with respect to a flow channel media that is disclosed in the specification and recited in claim 1. Thus, Lewit actually teaches away from Applicant's invention as recited in claim 1. This is a second reason why Lewit not a proper reference under 35 U.S.C. § 102. Accordingly, the Examiner's rejection of claims 1-6, 9, 10 and 19-21 under 35 U.S.C. §102(e) should be withdrawn.

The Examiner has essentially combined the teachings of Lewit with Uemura in an effort to equate the non-woven fabrics described in Lewit with a flow channel media as described and claimed. However, Uemura merely discloses that a felt-like fabric can be a three dimensional fabric reinforced in three or more dimensions. At best, the combination of Lewit and Uemura would yield a composite part with a three-dimensional felt-like non-woven fabric layer reinforced in three directions. If anything, a felt-like fabric layer reinforced in three directions would be even more dense and matted as compared to other felt like layers. This would not in any way anticipate or render obvious the invention as recited in Applicant's claim 1 which instead calls for a flow media that has substantially less resistance to a flow of resin as compared to the fabric layer. Thus, it is apparent that even the combination of Uemura and Lewit would not disclose or suggest Applicant's invention to one of ordinary skill in the art.

A "flow channel media," as that term is used in Applicant's specification and in the claims, is a material that has less resistance to resin flow as compared to woven and non-woven fabric layers 120,103, and 112, which are also discussed in Applicant's specification. None of the cited references explicitly or impliedly disclose or suggest such a structure. The Examiner's position seems to be that the materials in the cited references could be selected to coincide with the arrangement recited in claim 1. However, this is not the basis for a proper rejection absent some suggestion in the references themselves that the materials should be selected in this way to achieve an advantageous result.

VI. Conclusion

Applicant has made every effort to present claims which distinguish over the cited references, and it is believed that all claims are in condition for allowance. Therefore, Applicant invites the Examiner to call the undersigned if it is believed that a

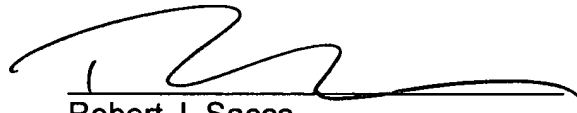
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telephonic interview would expedite the prosecution of the application to an allowance.
In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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